

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

UNITED STATES OF AMERICA,	§	
	§	
	§	CASE NUMBER 6:09-CR-00009-RC
v.	§	
	§	
	§	
MICHAEL DAIN BONNER	§	
	§	

**REPORT & RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE**

On October 25, 2016, the Court conducted a hearing to consider the government's petition to revoke the supervised release of Defendant Michael Dain Bonner. The government was represented by Ryan Locker, Assistant United States Attorney for the Eastern District of Texas, and Defendant was represented by Kelly Pace.

Defendant originally pled guilty to the offense of Possession with Intent to Distribute Methamphetamine, a Class B felony. The offense carried a statutory maximum imprisonment term of 40 years. The United States Sentencing Guideline range, based on a total offense level of 25 and a criminal history category of IV, was 84 to 105 months. On February 2, 2010, District Judge Leonard Davis sentenced Defendant to 84 months imprisonment followed by 4 years of supervised release subject to the standard conditions of release, plus special conditions to include financial disclosure and substance abuse treatment. On June 18, 2014, Defendant completed the term of imprisonment and began his term of supervised release.

Under the terms of supervised release, Defendant was required to refrain from committing another federal, state, or local crime. In its petition, the government alleges that

Defendant violated his condition of supervised release by committing the offense of Felon in Possession of a Firearm.

If the Court finds by a preponderance of the evidence that Defendant violated the conditions of supervised release by committing the offense of Felon in Possession of a Firearm, Defendant will have committed a Grade B violation. U.S.S.G. § 7B1.1(a). Upon a finding of a Grade B violation, the Court shall revoke probation or supervised release. U.S.S.G. § 7B1.3(a)(1). Considering Defendant's criminal history category of IV, the Guideline imprisonment range for a Grade B violation is 12 to 18 months. U.S.S.G. § 7B1.4(a).

At the hearing, the parties indicated that they had come to an agreement to resolve the petition whereby Defendant would plead true to violating the conditions of supervision by committing the offense alleged above. In exchange, the government agreed to recommend a sentence of 12 months and one day to be served consecutively to the term of imprisonment imposed in case number 6:15-cr-0004-001. The government further agreed to dismiss the remaining allegations in the petition.

Pursuant to the Sentencing Reform Act of 1984, the Court **RECOMMENDS** that Defendant Michael Dain Bonner be committed to the custody of the Bureau of Prisons for a term of imprisonment of 12 months and and 1 day, to be served consecutively to the term of imprisonment imposed in case number 6:15-cr-0004-001.

So ORDERED and SIGNED this 25th day of October, 2016.



JOHN D. LOVE
UNITED STATES MAGISTRATE JUDGE